

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42377 of 2018

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1. Md. Azam @ Azam Shafi, S/o Md. Sabir Alam, Resident of Village-
Palasbari, Police Station- Rauta, District- Purnea (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mr. N.K. Agrawal, Sr. Adv.

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Kochadhaman P.S.Case no.86 of 2018 registered for offences
punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that the
brother of the informant was killed and one lady was arrested by
the villagers and she disclosed that the petitioner and other
accused persons have stabbed his brother, due to which he badly
received injury.

Submission of the learned counsel for the petitioner is that
in the whole case diary there is no eye witness to show that Safiya
Khatoon has made any confessional statement before them and the
petitioner has falsely been implicated in this case and the CDR
location does not show that the mobile of the petitioner was found



at the place of occurrence.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that Safiya Khatoon has taken name of the petitioner before the villagers, as such, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit without.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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